

1 ROBERT W. FREEMAN  
Nevada Bar No. 3062  
2 [Robert.Freeman@lewisbrisbois.com](mailto:Robert.Freeman@lewisbrisbois.com)  
FRANK A. TODDRE, II  
3 Nevada Bar No. 11474  
[Frank.Toddre@lewisbrisbois.com](mailto:Frank.Toddre@lewisbrisbois.com)  
4 LEWIS BRISBOIS BISGAARD & SMITH LLP  
6385 S. Rainbow Boulevard, Suite 600  
5 Las Vegas, Nevada 89118  
Telephone: 702.893.3383  
6 Facsimile: 702.893.3789  
*Attorneys for Defendant*  
7 *State Farm Mutual Automobile Insurance*  
*Company*

8  
9 **UNITED STATES DISTRICT COURT**

10 **DISTRICT OF NEVADA, SOUTHERN DIVISION**

11 TAMER OMRAN,

12 Plaintiff,

13 vs.

14 STATE FARM MUTUAL AUTOMOBILE  
INSURANCE COMPANY; DOES I – V and  
15 ROES VI – X, inclusive,

16 Defendants.  
17

CASE NO.: 2:23-cv-00431-RFB-BNW

**STIPULATION AND ORDER TO  
EXTEND DISCOVERY DEADLINES**

**[FIFTH REQUEST]**

18 Pursuant to LR 6-1 and LR 26-3, the parties, by and through their respective counsel of  
19 record, hereby stipulate and request that this Court extend discovery in the above-captioned case by  
20 Sixty (60) days, up to and including Tuesday, October 1, 2024. In addition, the parties request that  
21 all other future deadlines contemplated by the Discovery Plan and Scheduling Order be extended  
22 pursuant to Local Rule. In support of this Stipulation and Request, the parties state as follows:

23 **DISCOVERY COMPLETED**

- 24 1. On April 7, 2023, the parties conducted an initial FRCP 26(f) conference.  
25 2. On April 21, 2023, Plaintiff served his FRCP 26 Initial Disclosures.  
26 3. On April 21, 2023, Defendant served its FRCP 26 Initial Disclosures.  
27 4. On May 4, 2023, Defendant served written discovery on Plaintiff. Plaintiff served  
28 his responses on June 2, 2023.

- 1 5. On June 2, 2023, Plaintiff served his first supplement to his FRCP 26 Disclosures.
- 2 6. On August 2, 2023, Plaintiff served written discovery on Plaintiff. Defendant served
- 3 its responses that are on October 5, 2023.
- 4 7. On August 3, 2023, Defendant took the deposition of Plaintiff.
- 5 8. On October 5, 2023, Defendant Answered Plaintiff's written discovery.
- 6 9. On January 10, 2024, Defendant served their second supplement to their FRCP 26
- 7 Disclosures.
- 8 10. On April 1, 2024, Defendant served their Initial Disclosure of Expert Witnesses.
- 9 11. On April 24, 2024, Defendant served their 2<sup>nd</sup> set of written discovery on Plaintiff.
- 10 12. **On May 23, 2024, Plaintiff served his Supplemental Responses to written**
- 11 **discovery.**
- 12 13. **On June 5, 2024, Plaintiff served his Second Supplemental 26.1 Disclosures.**
- 13 14. **On June 26, 2024, Defendant served their Third Request for Production of**
- 14 **Documents and Admissions.**
- 15 15. **On July 5, 2024, Plaintiff Noticed the FRCP 30(b)(6) Witness for July 18, 2024.**

#### 16 **DISCOVERY REMAINING**

- 17 1. The parties will continue participating in written discovery.
- 18 2. Defendant will collect Plaintiff's medical records.
- 19 3. The deposition of State Farm representatives.
- 20 4. The deposition of Defendant's FRCP 30(b)(6) witness(es).
- 21 5. The parties may depose any and all other witnesses garnered through discovery,
- 22 potentially including treatment providers and claims adjusters.

#### 23 **WHY REMAINING DISCOVERY HAS NOT BEEN COMPLETED**

24 The parties aver, pursuant to Local Rule 26-3, that good cause exists for the following  
25 requested extension. This Request for an extension of time is not sought for any improper purpose  
26 or other purpose of delay. Rather, the parties seek this extension solely for the purpose of allowing  
27 sufficient time to conduct discovery.

28 The primary remaining issue for discovery will be the deposition of State Farm's FRCP30b6

1 witness. The parties, after good faith negotiations and discussions have agreed upon the topics and  
 2 parameters of the deposition without outstanding objections. (Save for any that arise at deposition).  
 3 State Farm has designated a single individual to be the witness for all topics.

4 That noted, given the time between negotiations on topics, the office closures associated  
 5 with the July 4 holiday, and the deponent's own personal leave during July, and the short window  
 6 between the confirmation of date and the deposition, State Farm requires additional time to prepare  
 7 the deponent and to provide all possible pertinent materials/information to him. The parties request  
 8 60 days rather than a shorter amount of time to account for unavailability of either the FRCP 30b6  
 9 witness or Plaintiff/Defendant Counsel.

10 The parties have been diligent in moving the case forward: participating in a reasonable  
 11 amount of discovery, including exchanging their initial and supplemental lists of witnesses and  
 12 documents; propounding written discovery requests and responding thereto; records procurement;  
 13 as well as preparing for and conducting Plaintiff's deposition. Because the nature of FRCP 30(b)(6)  
 14 depositions require considerable preparation, the parties ask additional time so that Defendant  
 15 SFMAIC's FRCP 30(b)(6) witness has adequate time to prepare.

16 Extension or Modification of The Discovery Plan and Scheduling Order. LR 26-3 governs  
 17 modifications or extension of the Discovery Plan and Scheduling Order. Any stipulation or motion  
 18 to extend or modify that Discovery Plan and Scheduling Order must be made no later than twenty-  
 19 one (21) days before the expiration of the subject deadline and must comply fully with LR 26-3.  
 20 This stipulation is made more than 21 days before the expiration of any deadlines.

21 This is the fifth and expected final request for extension of time in this matter for  
 22 enlargements of discovery. The parties respectfully submit that the reasons set forth above  
 23 constitute compelling reasons for the short extension.

24 The following is a list of the current discovery deadlines and the parties' proposed extended  
 25 deadlines:

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Scheduled Event	Current Deadline	Proposed Deadline
Discovery Cut-off	<i>Friday, August 2, 2024</i>	<i>Tuesday, October 1, 2024</i>
Deadline to Amend Pleadings or Add Parties	<i>Closed</i>	<i>Closed</i>
Expert Disclosure pursuant to FRCP 26 (a)(2)	<i>Closed</i>	<i>Closed</i>
Rebuttal Expert Disclosure pursuant to FRCP. 26(a)(2)	<i>Closed</i>	<i>Closed</i>
Dispositive Motions	<i>Friday, August 30, 2024</i>	<i>Tuesday, October 29, 2024</i>
Joint Pretrial Order	<i>Friday, October 4, 2024</i>	<i>Tuesday, December 3, 2024</i>  <i>If dispositive motions are pending, then the parties will serve their Joint Pretrial Order within thirty days of the Court's order as to the parties' dispositive motions.</i>

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1 WHEREFORE, the parties respectfully request that this Court extend the discovery period  
2 by Sixty (60) days from the current deadline of August 2, 2024, up to and including October 1, 2024,  
3 and the other dates as outlined in accordance with the table above.

4 Dated this 9th day of July, 2024

Dated this 10th day of July, 2024

5 **JESSE SBAIH & ASSOCIATES, LTD.**

**LEWIS BRISBOIS BISGAARD &  
SMITH LLP**

6  
7 By: /s/ Ines Olevic-Saleh

By: /s/ Frank A. Toddre, II

8 JESSE M. SBAIH

ROBERT W. FREEMAN

9 Nevada Bar No. 7898

Nevada Bar No. 3062

INES OLEVIC-SALEH

FRANK A. TODDRE, II

Nevada Bar No. 11431

Nevada Bar No. 11474

10 170 South Green Valley Parkway, Suite 280

6385 S. Rainbow Boulevard, Suite 600

11 Henderson, Nevada 89012

Las Vegas, Nevada 89118

12 *Attorneys for Plaintiff*

*Attorneys for Defendant*

*State Farm Mutual Automobile*

*Insurance Company*

13 **ORDER**

14 IT IS SO ORDERED.

15 DATED this 11 day of July, 2024.

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18 UNITED STATES MAGISTRATE JUDGE  
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